

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 16

clm

MAILED

UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 27 2001

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT ALVARREZ, PAUL R. MOEHLE
and HAROLD T. KELLHER

Appeal No. 2000-0370
Application No. 08/964,518

ORDER REMANDING TO EXAMINER

Appellants filed an Appeal Brief on July 8, 1999 (Paper No. 12). A review of the file reveals that the Appeal Brief does not comply with section 1206(9) of the Manual of Patent Examining Procedure (Rev. 1, Feb. 2000) which states "[t]he copy of the claims required in the brief Appendix by 37 CFR § 1.192(c)(9) should be a clean copy and should not include any brackets or underlining as required by 37 CFR § 1.121(a)(2)."

Accordingly, it is

ORDERED that the application is remanded to the Examiner for proper filing of an Appendix to the Appeal Brief

Appeal No. 2000-0370
Application No. 08/964,518

filed on July 8, 1999 (Paper No. 12) and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW
Program and Resource Administrator
(703) 308-9797

DMS:clm

Appeal No. 2000-0370
Application No. 08/964,518.

Wade James Brady
Texas Instruments Inc.
Patent Dept. MS 219
P.O. Box 65547
Dallas, TX 75265